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Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
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UNITED STATES OF AMERICA,

Plaintiff,

vs.

TWYLA RUSSELL AND
MARISSA MILLER,

Defendants.

Case No. 2:20-cr-297-RFB-DJA

**STIPULATION FOR A PROTECTIVE
ORDER**

The parties, by and through the undersigned, respectfully request that the Court issue an Order protecting from disclosure to the public, or any third party not directly related to this case, any discovery produced by the Government to defense counsel during discovery, under Bates-stamp numbers 000001-005242 (the "Protected Material"). The parties state as follows:

1. The indictment in this case first issued on October 27, 2020.
2. Trial is currently set for January 4, 2021. The Government desires and intends to continue producing discovery, including that discovery designated above, as soon as possible.
3. The indictment in this case arises out of covert investigation into the Defendants' alleged conspiracy and unlawful distribution of controlled substances, including hydrocodone.

1 4. The Government believes that dissemination of the Protected Material, could
2 reveal personal identifying information of potential witnesses.

3 5. In order to protect the potential witnesses and suspects involved in and revealed
4 by the Protected Material, the parties intend to restrict access to the Protected Material in this
5 case to the following individuals: the defendant, attorneys for all parties, and any personnel that
6 the attorneys for all parties considered necessary to assist in performing that attorneys' duties in
7 the prosecution or defense of this case, including investigators, paralegals, experts, support staff,
8 interpreters, and any other individuals specifically authorized by the Court (collectively, the
9 "Covered Individuals").

10 6. Without leave of Court, the Covered Individuals shall not:

- 11 a. make copies for, or intentionally allow copies of any kind to be made by
12 any other person of the Protected Material in this case, or intentionally
13 permit dissemination of the Protected Material at the Pahrump jail facility,
14 or any other detention facility where either Defendant may be housed, to
15 include leaving a copy of the Protected Material unsecured at any detention
16 facility where either Defendant may be housed;¹
17 b. intentionally allow any other person to read, listen, or otherwise review the
18 Protected Material;

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22 ¹ The Defendants were released on conditions on November 3, 2020. It is the parties' understanding that,
23 in the event the Defendants are ever housed in a correctional facility during the pendency of this case, a
24 copy of the Protected Material will be provided to the library located at that facility where the Defendant
can check it out and view it as needed. However, when the Defendant is finished viewing the Protected
Material, she must return his copy of the Protected Material to the library for safekeeping.

1 c. use the Protected Material for any other purpose other than preparing to
2 defend against or prosecute the charges in the indictment or any further
3 superseding indictment arising out of this case; or

4 d. attach the Protected Material to any of the pleadings, briefs, or other court
5 filings except to the extent those pleadings, briefs, or filings are filed under
6 seal.

7 7. Nothing in this stipulation is intended to restrict the parties' use or introduction of
8 the Protected Material as evidence at trial or support in motion practice.

9 8. The parties shall inform any person to whom disclosure may be made pursuant to
10 this order of the existence and terms of this Court's order.

11 9. Should a reasonable need for this protective order cease to exist, on grounds other
12 than a Covered Individual or some other person violating or circumventing its terms, the
13 Government will move expeditiously for its dissolution.

14 10. The defense hereby stipulates to this protective order.

15 Respectfully submitted,

16 For the United States:

17 NICHOLAS A. TRUTANICH
18 United States Attorney

19 /s/ Peter S. Levitt
PETER S. LEVITT
Assistant United States Attorney

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For the Defense:

/s/ Ronald A. Colquitt
RONALD A. COLQUITT, ESQ.
Attorney for Defendant TWYLA RUSSELL

/s/ Rebecca Levy
REBECCA LEVY, AFPD
Attorney for Defendant MARISSA MILLER

IT IS SO ORDERED:



RICHARD F. BOULWARE II
UNITED STATES DISTRICT JUDGE

November 20, 2020

Date